

10/510787

05 Rec'd PCT/PTO 12 OCT 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

GERARD E. ROSMALEN

NL 020294

Serial No.

Group Art Unit

Filed: CONCURRENTLY

Ex.

READ/WRITE HEAD FOR OPTICAL DISK DRIVE AND OPTICAL DISK DRIVE  
COMPRISING SUCH A READ/WRITE HEAD

Commissioner for Patents  
Alexandria, VA 22313-1450

AUTHORIZATION PURSUANT TO 37 CFR §1.136(a)(3)  
AND TO CHARGE DEPOSIT ACCOUNT

Sir:

The Commissioner is hereby requested and authorized to treat any concurrent or future reply in this application requiring a petition for extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time.

Please charge any additional fees which may now or in the future be required in this application, including extension of time fees, but excluding the issue fee unless explicitly requested to do so, and credit any overpayment, to Deposit Account No. 14-1270.

Respectfully submitted,

By Michael E. Belk  
Michael E. Belk, Reg. 33,357  
Attorney  
(914) 333-9643

|   |   |   |
|---|---|---|
| FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE   |   | ATTORNEY'S DOCKET NO.<br>NL 020294                                  |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371  |   | U.S. Application No. (If known, see 37 CFR 1.5)<br><b>10/510787</b> |
| INTERNATIONAL APPLICATION NO.<br>PCT/IB03/01158   | INTERNATIONAL FILING DATE<br>March 20, 2003 | PRIORITY DATE CLAIMED<br>April 15, 2002                             |
| TITLE OF INVENTION<br>READ/WRITE HEAD FOR OPTICAL DISK DRIVE AND OPTICAL DISK DRIVE COMPRISING SUCH A READ/WRITE HEAD   |   |   |
| APPLICANT(S) FOR DO/EO/US<br>Gerard Eduard ROSMALEN   |   |   |
| Applicant(s) herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |   |   |
| <p>1. [X] This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. [ ] This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. [ ] This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. [ ] A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. [X] copy of the International Application as filed (35 U.S.C. 371 (c)(2))<br/>a. [ ] is transmitted herewith (required only if not transmitted by the International Bureau).<br/>b. [X] has been transmitted by the International Bureau.<br/>c. [ ] is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. [ ] A translation of the International Application into English (35 U.S.C. 371(c)(2))</p> <p>7. [X] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<br/>a. [ ] are transmitted herewith (required only if not transmitted by the International Bureau).<br/>b. [ ] have been transmitted by the International Bureau.<br/>c. [ ] have not been made; however, the time limit for making such amendments has NOT expired.<br/>d. [X] have not been made and will not be made.</p> <p>8. [ ] A translation of the amendment to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. [X] An oath or declaration of the Inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. [ ] A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> |   |   |
| Items 11. to 16. below concern document(s) or information included:   |   |   |
| <p>11. [X] An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p>12. [X] An assignment document for recording. A separate cover sheet is compliance with 37 C.F.R. 3.28 and 3.31 is included.</p> <p>13. [X] A FIRST preliminary amendment.<br/>[ ] A SECOND OR SUBSEQUENT preliminary amendment.</p> <p>14. [ ] A substitute specification.</p> <p>15. [ ] A change of power of attorney and/or address letter.</p> <p>16. [X] Other items or information:<br/><br/> <input checked="" type="checkbox"/> Power of Attorney to Prosecute Application Before the USPTO [PTO/SB/80]<br/> <input checked="" type="checkbox"/> Statement under 37 CFR 3.73(b) [PTO/SB/96]<br/> <input checked="" type="checkbox"/> Authorization Pursuant to 37 CFR § 1.136(a)(3) and to Charge Deposit Account     </p>  |   |   |

## CERTIFICATE OF MAILING

[X] Express Mail Mailing Label No. *EV 312015028-US*Date of Deposit *10-12-04*

I hereby certify that this paper and fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jeanne Rusciano  
Typed Name

*Jeanne Rusciano*  
Signature

10/510787

5 Rec'd PCT/PTO 12 OCT 2004

|  |              |   |                                       |
|--|--------------|---|---------------------------------------|
| U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)   |              | INTERNATIONAL APPLICATION NO.<br>PCT /IB03/01158  | ATTORNEY'S DOCKET NUMBER<br>NL 020294 |
| 17 [ X ] The following fees are submitted:   |              | CALCULATIONS (PTO USE ONLY)   |                                       |
| BASIC NATIONAL FEE (37 C.F.R. 1.492(A)(1)-(5)):  |              |   |                                       |
| Search Report has been prepared by the EPO or JPO \$860.00   |              |   |                                       |
| International preliminary-examination fee paid to USPTO \$690.00<br>(37 C.F.R. 1.482)  |              |   |                                       |
| No International preliminary examination fee paid to USPTO \$750.00<br>(37 C.F.R. 1.482) but International search fee paid to USPTO<br>(37 C.F.R. 1.445(a)(2))   |              |   |                                       |
| Neither International preliminary examination fee (37 C.F.R. \$970.00<br>1.482) nor International search fee (37 C.F.R. 1.445(a)(2))<br>paid to USPTO  |              |   |                                       |
| International preliminary examination fee paid to USPTO \$ 96.00<br>(37 C.F.R. 1.482) and all claims satisfied provisions of PCT<br>Article 33(2)-(4)  |              |   |                                       |
| ENTER APPROPRIATE BASIC FEE AMOUNT =   |              | \$ 860.00   |                                       |
| Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [ ] 30 months<br>from the earliest claimed priority date (37 C.F.R. 1.492(e)).  |              | \$  |                                       |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA  | RATE                                  |
| Total Claims   | 11 - 20 =    | 0   | X \$ 18.00                            |
| Independent claims   | 1 - 3 =      | 0   | X \$ 86.00                            |
| MULTIPLE DEPENDENT CLAIMS (If<br>applicable)   |              |   | + \$290.00                            |
| TOTAL OF ABOVE CALCULATIONS  |              | =   | \$ 0.00                               |
| Reductions by 1/2 for filing by small entity, If applicable. Verified Small Entity Statement<br>must also be filed (Note 37 C.F.R. 1.9, 1.27, 1.28)  |              | \$  |                                       |
| SUBTOTAL   |              | =   | \$ 860.00                             |
| Processing fee of \$130.00 for furnishing the English translation later than [ ] 20 [ ] 30<br>months from the earliest claimed priority date (37 C.F.R. 1.492(f)).   |              | \$  |                                       |
| TOTAL NATIONAL FEE   |              | =   | \$ 860.00                             |
| Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be<br>accompanied by an appropriate cover sheet (37 C.F.R. 3.28,3.31). \$40.00 per property   |              | + \$ 40.00  |                                       |
| TOTAL FEES ENCLOSED  |              | =   | \$ 900.00                             |
|  |              | Amount to be<br>Refunded  | \$                                    |
|  |              | Charged   | \$                                    |
| <p>a. [ ] A check in the amount \$ _____ to cover the above fees is enclosed.</p> <p>b. [ X ] Please charge my Deposit Account No. <u>14-1270</u> in the amount of <u>\$ 900.00</u> to cover the above fees.<br/>A duplicate copy of this sheet is enclosed.</p> <p>c. [ X ] The Commissioner is hereby authorized to charge any additional fee, with the exception of the Base Issue Fee, which may be<br/>required, or credit any overpayment to Deposit Account No. <u>14-1270</u>. A duplicate copy of this sheet is enclosed.</p> |              |   |                                       |
| NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be<br>filed and granted to restore the application to pending status.   |              |   |                                       |
| SEND ALL CORRESPONDENCE TO:  |              | <br>(SIGNATURE)<br>Michael E. Belk<br>(NAME)<br>33,357<br>(REGISTRATION NUMBER) |                                       |
| Corporate Patent Counsel<br>Philips Electronics North America Corporation<br>P.O. Box 3001<br>Briarcliff Manor, NY 10510   |              |   |                                       |